

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

MICHAEL P. AND SHELLIE GILMOR,)	
<i>et al.,</i>)	
)	
Plaintiffs,)	
)	
v.)	Case No. 4:10-cv-00189-ODS
)	
PREFERRED CREDIT CORPORATION,)	
<i>et al.,</i>)	
)	
Defendants.)	

**DEFENDANT DEUTSCHE BANK TRUST COMPANY AMERICAS F/K/A BANKERS
TRUST COMPANY IN ITS CAPACITY AS TRUSTEE OF THE PREFERRED TRUSTS’
STATEMENT OF CLARIFICATION REGARDING THE STATUS OF ITS
RESPONSIVE PLEADINGS TO PLAINTIFFS’ SIXTH AMENDED PETITION**

Defendant Deutsche Bank Trust Company Americas f/k/a Bankers Trust Company in its capacity as trustee for the Preferred Mortgage Trust 1996-1,¹ Preferred Mortgage Trust 1996-2,² Preferred Credit Trust 1997-1³ (Deutsche Bank Trust Company Americas and the three trusts will collectively be referred to as “Deutsche Bank”) through its attorneys of record, files this statement of clarification regarding the status of their responsive pleadings to Plaintiffs’ Sixth Amended Petition.

1. In its April 28, 2010, Order Directing Parties to Submit Status Report And Documents (dkt. 49), the Court ordered that “all parties who have not filed an Answer to the Sixth Amended Petition (in either state or federal court) shall do so on or before June 4, 2010.”

2. Deutsche Bank (along with other defendants) currently has filed motions to dismiss Plaintiffs’ Sixth Amended Petition pending in this action.

¹ This party was improperly named in plaintiffs’ Sixth Amended Petition as “Preferred Credit Asset-Backed Certificates, Series 1996-01”.

² This party was improperly named in plaintiffs’ Sixth Amended Petition as “Preferred Mortgage Asset-Backed Certificates, Series 1996-2”.

³ This party was improperly named in plaintiffs’ Sixth Amended Petition as “Preferred Credit Asset-Backed Certificates, Series 1997-1”.

3. Accordingly, as Deutsche Bank understands the Court's Order, it is not filing an answer at this time because its pending motions to dismiss are its responsive pleadings to Plaintiffs' Sixth Amended Petition and those responsive pleadings have already been filed.

Dated: June 9, 2010

Respectfully submitted,

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ATTORNEYS FOR DEFENDANTS PREFERRED
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MORTGAGE TRUST 1996-2, PREFERRED CREDIT
TRUST 1997-1; DEUTSCHE BANK TRUST
COMPANY AMERICAS F/K/A BANKERS TRUST
COMPANY IN ITS CAPACITY AS TRUSTEE OF THE
PREFERRED TRUSTS

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing document was filed electronically with the above-captioned court, with notice of case activity to be generated and sent electronically by the Clerk of said court (with a copy to be mailed to any individuals who do not receive electronic notice from the Clerk) this 9th day of June, 2010.

/s/ Leslie A. Greathouse

Attorney for Defendants Preferred Mortgage
Trust 1996-1; Preferred Mortgage Trust 1996-2,
Preferred Credit Trust 1997-1; Deutsche Bank
Trust Company Americas f/k/a Bankers Trust
Company in its capacity as trustee of the
Preferred Trusts